January 17, 2008

Ms. Kristie Orosco, Environmental Director
Rincon Luiseno Band of Indians
33750 Valley Center Road, P.O. Box 68
Valley Center, CA 92082

RE: Public Health, Safety and Environment Threat; Mushroom Express Property

Dear Ms. Orosco:

Per your request, I am writing to share an environmental health perspective on the "Mushroom Express" property. My findings and recommendations are based on a site visit with Eric Mendoza, Rincon Environmental Compliance Coordinator, conducted on January 16, 2008 and findings in reports written by County and federal officials.

SUMMARY

The property clearly presents potential threats to public health, safety and the environment including:

- Contamination of the unconfined aquifer which is used as a public water supply.
- Physical hazards from assorted waste and partially demolished buildings.

A variety of problems have been identified on many occasions, but environmental laws have not been enforced at the site for nearly thirty years. Examples include:

- In 1983, the Indian Health Service identified a "health hazard" in formal correspondence with the Tribe based on the analysis of a 100 milliliter sample of storm water which flowed off-site and contained over 2,400 colonies of fecal Coliform bacteria.
- A 1989 County inspection report identified the owner/operator as an unregistered generator of hazardous waste (waste oil and formaldehyde) and cited other violations including storage, labeling, and disposal of hazardous waste on-site; all violations of the Resource Conservation and Recovery Act (RCRA).
- A 2005 U.S. Environmental Protection Agency (EPA) site visit report includes findings of "overflowing" 55 gallon waste oil drums, unlabeled containers, and

unregistered injection wells; violations of the RCRA and the Safe Drinking Water Act.

- In 2006, the County received a citizen complaint which stated "vehicles are leaking oil and fluids everywhere".

Most of the lot should be isolated as a hazard area and entry should be denied until it is formally evaluated and remediated by an objective third party in accordance with industry best practices.

- The EPA can conduct a formal Environmental Assessment that will include debris, soil and groundwater sampling. Contact Mr. Glenn Kistner, Brownfields Coordinator, at kistner.glenn@epa.gov or ph# 415-972-3004 to request a no-cost (expedited?) Assessment. An assessment conducted by the EPA will ensure proper and objective sampling technique which is necessary to determine the full scale and type of contamination at the site.

- Site remediation plans are dependent on a properly conducted environmental assessment. Improper sampling (e.g. location and number of samples) and laboratory analyses can lead to faulty conclusions about the type and extent of contamination and the best way to remediate the site.

- There is mention in the EPA report "POLREP #1" for the period 1/9/08 – 1/14/08 that the County was engaged in a clean-up of the site after the October 2008 fire. You should request from the County a copy of the list of materials removed from the site during that time. The list would help with the development of a site sampling plan and site worker health & safety plan.

- The on-site well could serve as a monitoring well to evaluate groundwater quality over time. It should definitely not be used as a source of drinking water until several samples are collected over time (e.g. dry and wet season sampling) and analyzed to show that the water meets federal drinking water quality standards including bacteriological, radiological, inorganic contaminants (e.g. metals), synthetic organic contaminants (e.g. pesticides and herbicides) and volatile organic contaminants (e.g. toluene and xylenes). Usually, there are at least three monitoring wells arrayed to "capture" the most likely path of a contaminant plume.

RELATED DETAIL AND RECOMMENDATIONS

During my January 16, 2008 visit to the site, I saw a variety of contaminants and at least two conduits for contamination into the unconfined aquifer beneath the site. My observations included:

- Automotive battery ash with lead plates exposed,
- Tire ash which typically contains zinc and other metals,

- Four 55-gallon drums (one was 1/3 full with what appeared to be a thick sludge),
- Compressed gas cylinders;
- A variety of cooling units with coolant tanks;
- Contaminated soil with petroleum odor;
- A 3,000 gal. above-ground diesel fuel tank with no spill containment structure;
- A fuel pump next to the tank and sited on bare soil;
- An injection well with an open grate at ground level near the large diesel tank;
- The location of a septic tank and drain field;
- Burnt cars and truck trailers;
- What appeared to be paint cans (burnt beneath a burned-out trailer).

Photographs are included as an attachment to this letter.

It may be a "stretch", but there may also be an inhalation risk from airborne asbestos fibers that originated from building materials, automotive brake pads, clutch facings, and gaskets.

According to the San Diego County Soil Survey, soils at the site are sandy loams with "moderately rapid" permeability. This fact, taken in consideration with the fact that there is no confining layer over the aquifer to protect it from surface contamination provides further justification for the concern about the possibility of aquifer contamination over the last 30+ years. As I understand, there are six public water systems in the area that rely on the aquifer as a source of drinking water.

The site lies entirely within the flood plain of the San Luis Rey River. A major flood event could carry contaminants off-site and impact the riparian ecosystem.

Please do not hesitate to contact me for further assistance in resolving this matter. You can reach me at ph# 760-735-6891.

Respectfully,

David E. Robbins, R.E.H.S.
District Environmental Health Specialist